

27BF, CLOSED, SC

**U.S. District Court  
Alabama Middle District (Montgomery)  
CRIMINAL DOCKET FOR CASE #: 2:03-cr-00267-MHT-DRB-ALL  
Internal Use Only**

Case title: USA v. Moultry

Date Filed: 11/20/2003

Assigned to: Judge Myron H.  
Thompson  
Referred to: Honorable Delores R. Boyd

**Defendant**

**Adrian Moultry (1)**  
*TERMINATED: 02/16/2005*

represented by **Susan Graham James**  
Susan G. James & Associates  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Retained*

**Pending Counts**

21:841(a)(1) and 21:841(a)(1)(B) -  
POSS/DISTR CONTRL SUBST - NMT  
\$2,000,000 FINE; \*; NLT 5Y NMT  
40Y, B; NLT 4Y SUP REL; \$100 SA;  
VWPA; G-LINES  
(1)

18:922(g)(1)-UNLAWFUL  
TRANSP/FIREARMS - NMT \$250,000  
FINE; \*; NMT 10Y IMP; B; NMT 3Y  
SUP REL; \$100 SA; VWPA; G-LINES  
(2)

18:924(c)(1)(A)-  
FIREARM/POSS/DRUG CRIME -  
NMT \$250,000 FINE\*; NLT 5Y NMT

**Disposition**

192 Mos Imp consisting of 132 Mos on  
Ct 1, 132 Mos on Ct 2 to be served CC  
and 60 Mos on Ct 3 to be served  
consecutively to Cts 1 and 2; 5 Yrs Sup  
Rel which consists of 5 Yrs on Ct 1, 3  
Yrs on Ct 2 and 3 Yrs on Ct 3, all to run  
CC; \$300 SA

192 Mos Imp consisting of 132 Mos on  
Ct 1, 132 Mos on Ct 2 to be served CC  
and 60 Mos on Ct 3 to be served  
consecutively to Cts 1 and 2; 5 Yrs Sup  
Rel which consists of 5 Yrs on Ct 1, 3  
Yrs on Ct 2 and 3 Yrs on Ct 3, all to run  
CC; \$300 SA

192 Mos Imp consisting of 132 Mos on  
Ct 1, 132 Mos on Ct 2 to be served CC  
and 60 Mos on Ct 3 to be served

LIFE, B; NMT 3Y SUP REL; \$100 SA;  
VWPA; G-LINES  
(3)

consecutively to Cts 1 and 2; 5 Yrs Sup  
Rel which consists of 5 Yrs on Ct 1, 3  
Yrs on Ct 2 and 3 Yrs on Ct 3, all to run  
CC; \$300 SA

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

None

**Disposition**

**Highest Offense Level (Terminated)**

None

**Complaints**

None

**Disposition**

**Plaintiff**

**United States of America**

represented by **Matthew S. Miner**  
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**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
11/20/2003	1	INDICTMENT as to Adrian Moultry (1) count(s) 1, 2, 3 (dmk) (Entered: 11/21/2003)

11/20/2003		**Added Government Attorney Matthew S. Miner as to Adrian Moultry (dmk) (Entered: 11/21/2003)
11/20/2003		**Added party US Marshals Service, Montgomery U.S. Probation, U.S. Pretrial, USA Financial Unit (dmk) (Entered: 11/21/2003)
11/20/2003		**Added as ip party Adrian Moultry, 53 Whispering Woods, Troy, AL (dmk) (Entered: 11/21/2003)
11/20/2003		Magistrate Judge Delores R. Boyd assigned to case for discovery matters as well as matters subsequently referred by District Judge . (dmk) (Entered: 11/21/2003)
11/20/2003		(dmk) (Entered: 11/21/2003)
11/21/2003	2	Arrest WARRANT issued as to Adrian Moultry (dmk) (Entered: 11/21/2003)
01/09/2004		(snc) (Entered: 01/12/2004)
01/09/2004	3	PETITION by USA for Writ of Habeas Corpus ad prosequendum as to Adrian Moultry for arraignment 2-4-04, 10:00 am ( referred to Mag. Judge Delores R. Boyd ) (ekl) (Entered: 01/14/2004)
01/15/2004	<u>4</u>	ORDER as to Adrian Moultry granting [3-1] petition as to Adrian Moultry (1) directing clerk to issue writ to Pike County Jail; set Arraignment for 10:00 2/4/04 for Adrian Moultry for Courtroom 5A before Mag Judge Vanzetta P. McPherson ( Signed by Mag. Judge Delores R. Boyd ) Copies mailed to: deft, Copies furnished to: USA,USM,USPTS,USPO,YG,HC,DK (ekl) (Entered: 01/15/2004)
01/15/2004	5	WRIT of Habeas Corpus ad Prosequendum issued as to Adrian Moultry for arraignment 2/4/04 at 10:00 am before Judge McPherson, courtroom 5A (ekl) (Entered: 01/15/2004)
02/03/2004		**Location LC as to Adrian Moultry (ekl) (Entered: 02/06/2004)
02/04/2004		Initial appearance as to Adrian Moultry held before Mag Judge Vanzetta P. McPherson on 2/4/04 (Defendant informed of rights.) (FTR: 10:32-10:40) (dmk) (Entered: 02/04/2004)
02/04/2004		ARRAIGNMENT as to Adrian Moultry held before Mag Judge Vanzetta P. McPherson on 2/4/04 Defendant(s) appeared with counsel and after having been advised of Defendant(s') rights, entered a plea of Not Guilty. (FTR: 10:32-10:40) (dmk) (Entered: 02/04/2004)
02/04/2004		PLEA of Not Guilty: Adrian Moultry (1) count(s) 1, 2, 3 ; Court accepts plea. (dmk) (Entered: 02/04/2004)
02/04/2004		Notice to retained Criminal Defense Attorney Susan James handed in open court as to Adrian Moultry (dmk) (Entered: 02/04/2004)
02/04/2004	6	Courtroom Deputy's Minutes as to Adrian Moultry : Initial appearance and arraignment held before Mag. Judge McPherson (FTR: 10:32-10:40)

		(dmk) (Entered: 02/04/2004)
02/04/2004		**Added for Adrian Moultry Attorney Susan Graham James (dmk) (Entered: 02/04/2004)
02/04/2004		***JS-2 First Appearance Code (jct, ) (Entered: 05/03/2004)
02/05/2004	7	Arrest WARRANT Returned Executed as to Adrian Moultry on 2/3/04 (ekl) (Entered: 02/06/2004)
02/06/2004	<u>8</u>	ORDER ON ARRAIGNMENT as to Adrian Moultry directing that the probation officer prepare a guideline calculation as set out in order; directing that Discovery is due on or before 2/18/04 for Adrian Moultry Pretrial Motions to Compel due by 2/18/04 for Adrian Moultry ; Pretrial set 2:30 2/23/04 for Adrian Moultry in Courtroom 4A before Mag. Judge Delores R. Boyd Jury Trial set 3/22/04 for Adrian Moultry in Courthouse before Unassigned Judge and government response to pretrial motions due five days prior to hearing date or if no hearing is necessary, ten days after the pretrial conference . ( Signed by Mag. Judge Delores R. Boyd ) Copies mailed to: deft, Copies furnished to: USA,USM,USPTS,USPO,COUNSEL,WR,YG,HC,SL (ekl) (Entered: 02/06/2004)
02/06/2004		Deadline updated as to Adrian Moultry, set voir dire questions due on 3/15/04 for Adrian Moultry , set proposed jury instructions due on 3/15/04 for Adrian Moultry (ekl) (Entered: 02/06/2004)
02/12/2004	9	MOTION by Adrian Moultry to Suppress (evidence seized 5/31/03) [9-1] referred to Mag. Judge Delores R. Boyd (ekl) (Entered: 02/12/2004)
02/13/2004	<u>10</u>	ORDER that counsel shall be prepared at pretrial 2/23/04, 2:30 pm to show cause why the evidentiary hearing on defendant's motion to suppress, doc. 9, cannot be set on a mutually convenient date between 3/15 and 31 as to Adrian Moultry. Dates shall be set at the pretrial conference. ( Signed by Mag. Judge Delores R. Boyd ) Copies mailed to: deft, Copies furnished to: USA,USM,USPTS,USPO,COUNSEL (ekl) (Entered: 02/13/2004)
02/23/2004		Deadline updated as to Adrian Moultry, set Pretrial Conference for for 2:30 2/23/04 for Adrian Moultry at Courtroom 4A before Mag. Judge Delores R. Boyd in Courtroom 4A (sql) (Entered: 02/23/2004)
02/23/2004		Pre-trial conference as to Adrian Moultry held before Mag. Judge Delores R. Boyd on 2/23/04 [FTR: 3:08 - 3:33 pm] (sql) (Entered: 02/23/2004)
02/23/2004	11	Courtroom Deputy's Minutes as to Adrian Moultry of pre-trial conference.: (sql) (Entered: 02/23/2004)
02/24/2004	<u>12</u>	ORDER as to Adrian Moultry Motion hearing set for 10:30 3/18/04 for Adrian Moultry before Mag. Judge Delores R. Boyd in Courtroom 4A re: [9-1] motion to Suppress (evidence seized 5/31/03) , Response to Motion set for 3/9/04 for Adrian Moultry for [9-1] motion to Suppress (evidence

		seized 5/31/03) ( Signed by Mag. Judge Delores R. Boyd ) Copies mailed to: deft., Copies furnished to: USA,USM,USPTS,USPO,YG,HC,SL,COUNSEL (ekl) (Entered: 02/24/2004)
03/02/2004	13	MOTION by Adrian Moultry to continue trial [13-1] referred to Mag. Judge Delores R. Boyd (ekl) (Entered: 03/02/2004)
03/02/2004	14	WAIVER of Speedy Trial by Adrian Moultry (ekl) (Entered: 03/03/2004)
03/04/2004	<u>15</u>	ORDER as to Adrian Moultry granting [13-1] motion to continue trial as to Adrian Moultry (1) to Continue in Interests of Justice Time Excluded from 3/4/04 to 4/26/04 , reset Jury Trial on 10:00 4/26/04 for Adrian Moultry before Judge Myron H. Thompson in Courtroom 2E ( Signed by Mag. Judge Delores R. Boyd ) Copies mailed to: deft, Copies furnished to: WR,YG,HC, USA,USM,USPTS,USPO,COUNSEL,SC, (ekl) (Entered: 03/04/2004)
03/04/2004		CASE assigned to Judge Myron H. Thompson (ekl) (Entered: 03/04/2004)
03/04/2004		(ekl) (Entered: 03/04/2004)
03/04/2004	<u>16</u>	PRETRIAL CONFERENCE ORDER as to Adrian Moultry setting Jury Selection for 4/26/04 before Judge Myron Thompson , setting Jury Trial on 4/26/04 before Judge Myron H. Thompson in Courtroom 2E , setting voir dire questions due on 4/19/04 , setting Motion in Limine Filing deadline for 4/19/04 , setting proposed jury instructions due on 4/19/04 , setting Plea Agreement deadline for 4/19/04 ( Signed by Mag. Judge Delores R. Boyd ) Copies mailed to: dft, Copies furnished to: counsel, usa, usm, uspo, uspts, yg, hc (snc) (Entered: 03/04/2004)
03/09/2004	17	RESPONSE in Opposition by USA as to Adrian Moultry re [9-1] motion to Suppress (evidence seized 5/31/03) referred to Mag. Judge Delores R. Boyd (snc) Modified on 03/12/2004 (Entered: 03/12/2004)
03/15/2004	18	PETITION by Adrian Moultry for Writ of Habeas Corpus ad testificandum (for Ken McBride, Coffee County Jail) ( referred to Mag. Judge Delores R. Boyd ) (snc) (Entered: 03/16/2004)
03/16/2004	<u>19</u>	ORDER as to Adrian Moultry granting [18-1] petition for writ. (Signed by Mag. Judge Delores R. Boyd ) , Copies furnished to: counsel, usa, usm (snc) (Entered: 03/16/2004)
03/16/2004	20	WRIT of Habeas Corpus ad Testificandum issued for Kent McBride for 3/18/04 (Suppression Hearing) in case as to Adrian Moultry (snc) (Entered: 03/17/2004)
03/17/2004	21	WRIT of Habeas Corpus ad Testificandum returned unexecuted for Kent McBride in case as to Adrian Moultry (insufficient time to pick up per Brewer, USMS) (snc) (Entered: 03/18/2004)
03/18/2004		Motion hearing held before Mag. Judge Delores R. Boyd as to Adrian Moultry re: [9-1] motion to Suppress (evidence seized 5/31/03) [Dickens -
























		reporter] (sql) (Entered: 03/19/2004)
03/18/2004	22	Courtroom Deputy's Minutes, witness and exhibit lists as to Adrian Moultry of hearing on motion to suppress. [exhibits in separate folder with file]: (sql) (Entered: 03/19/2004)
03/19/2004	<u>23</u>	ORDER as to Adrian Moultry directing defedant to file not later than 3/25/04 a post-hearing memorandum in support of her Fifth Amendment claims, etc. re oral amendment (during suppression hearing) of 9-1] motion to Suppress (evidence seized 5/31/03) , directing the government to file a reply memo in opposition by 3/31/04 for amendment to [9-1] motion to Suppress (evidence seized 5/31/03) ( Signed by Mag. Judge Delores R. Boyd ) Copies furnished to: counsel, usa (snc) Modified on 04/02/2004 (Entered: 03/22/2004)
03/25/2004	24	MOTION by Adrian Moultry to Suppress Statements made on May 30, 2003 [24-1] referred to Mag. Judge Delores R. Boyd (ws) (Entered: 03/26/2004)
03/31/2004	25	RESPONSE in Opposition by USA as to Adrian Moultry re (Supplemental) [24-1] motion to Suppress Statements made on May 30, 2003 referred to Mag. Judge Delores R. Boyd (snc) (Entered: 04/01/2004)
04/12/2004	26	REPORT AND RECOMMENDATIONS as to Adrian Moultry re [9] Motion to Suppress, [24] Motion to Suppress Objections to R&R due by 4/19/2004. Signed by Judge Delores R. Boyd on 4/12/2004. (snc) (Entered: 04/12/2004)
04/19/2004	27	Proposed Voir Dire by United States of America as to Adrian Moultry (Harmon, John) (Entered: 04/19/2004)
04/19/2004	28	Proposed Jury Instructions by United States of America as to Adrian Moultry (Harmon, John) (Entered: 04/19/2004)
04/19/2004	29	MOTION for Release from Custody of <i>Adrian Moultry</i> by United States of America as to Adrian Moultry. (Attachments: # <u>1</u> Order Releasing Custody of Adrian Moultry)(Miner, Matthew) (Entered: 04/19/2004)
04/19/2004	30	Proposed Voir Dire by United States of America as to Adrian Moultry (Miner, Matthew) (Entered: 04/19/2004)
04/19/2004	31	Proposed Jury Instructions by United States of America as to Adrian Moultry (Miner, Matthew) (Entered: 04/19/2004)
04/19/2004	32	OBJECTION TO REPORT AND RECOMMENDATIONS <u>26</u> by Adrian Moultry (snc) (Entered: 04/20/2004)
04/19/2004	33	PETITION for Writ of Habeas Corpus ad testificandum Pursuant to 28:2241(c)(5); F.R.C.P. 81(a)(2) by Adrian Moultry. (snc) (Entered: 04/20/2004)
04/19/2004	34	PROPOSED VOIR DIRE QUESTIONS by Adrian Moultry (snc) (Entered: 04/20/2004)

04/19/2004	<a href="#"><u>35</u></a>	PROPOSED JURY INSTRUCTIONS by Adrian Moultry (snc) (Entered: 04/20/2004)
04/20/2004	<a href="#"><u>36</u></a>	ORDER granting <a href="#"><u>29</u></a> Motion to Release Custody of Adrian Moultry (1) to DEA agent from 4/21/04 to 6/30/04 and directing agent to return said prisoner into the custody of the USMS when he has finished with him. Signed by Judge Delores R. Boyd on 4/20/2004. (snc) (Entered: 04/20/2004)
04/20/2004	<a href="#"><u>37</u></a>	MOTION/PETITION for Writ of Habeas Corpus ad testificandum for Ken McBride (Pike County Jail) by Adrian Moultry. (snc) (Entered: 04/20/2004)
04/21/2004	<a href="#"><u>38</u></a>	ORDER granting <a href="#"><u>33</u></a> Motion for Writ of Habeas Corpus ad testificandum as to Adrian Moultry for Kent McBride; granting <a href="#"><u>37</u></a> Emergency Motion for Writ of Habeas Corpus ad testificandum as to Adrian Moultry for Kent McBride. Signed by Judge Delores R. Boyd on 4/20/2004. (snc) (Entered: 04/21/2004)
04/21/2004	<a href="#"><u>39</u></a>	Writ of Habeas Corpus ad Testificandum Issued as to Kent McBride for 4/27/2004 in case as to Adrian Moultry (snc) (Entered: 04/21/2004)
04/21/2004	<a href="#"><u>40</u></a>	TRANSCRIPT of Suppression Hearing as to Adrian Moultry held on 3/18/2004 before Judge Delores Boyd. Court Reporter: James Dickens (1 vol; filed conventionally). (snc) (Entered: 04/21/2004)
04/21/2004	<a href="#"><u>41</u></a>	TRIAL NOTICE (4/26/2004 at 10:00 a.m.) by Adrian Moultry (snc) (Entered: 04/21/2004)
04/22/2004	<a href="#"><u>42</u></a>	ORDER of Reference as to Adrian Moultry referring the defendant to the Magistrate Judge for guilty plea proceedings . Signed by Judge Myron H. Thompson on 4/22/2004. (snc) (Entered: 04/22/2004)
04/22/2004	<a href="#"><u>43</u></a>	ORDER (1) overruling the objections to the Magistrate Judge's recommendation [DN 32]; (2) ADOPTING REPORT AND RECOMMENDATION re [9] Motion to Suppress filed by Adrian Moultry and [24] Motion to Suppress filed by Adrian Moultry; denying the [9] Motion to Suppress filed by Adrian Moultry and [24] Motion to Suppress filed by Adrian Moultry . Signed by Judge Myron H. Thompson on 4/22/2004. (snc) (Entered: 04/22/2004)
04/22/2004	<a href="#"><u>44</u></a>	NOTICE OF INTENT TO CHANGE PLEA by Adrian Moultry (snc) (Entered: 04/22/2004)
04/22/2004	<a href="#"><u>45</u></a>	ORDER as to Adrian Moultry setting Change of Plea Hearing for 4/23/2004 11:00 AM in Courtroom 4A before Honorable Delores R. Boyd, directing clerk to provide a reporter, and directing the USM to produce the defendant, if in custody. Signed by Judge Delores R. Boyd on 4/22/2004. (snc) (Entered: 04/22/2004)
04/23/2004	<a href="#"><u>46</u></a>	Consent to Enter Guilty Plea before U. S. Magistrate Judge as to Adrian Moultry (jct, ) (Entered: 04/23/2004)

04/23/2004	<a href="#"><u>46</u></a>	PLEA AGREEMENT as to Adrian Moultry (jct, ) (Entered: 04/23/2004)
04/23/2004	<a href="#"><u>47</u></a>	Minute Entry for proceedings held before Judge Delores R. Boyd :Change of Plea Hearing as to Adrian Moultry held on 4/23/2004, Plea entered by Adrian Moultry (1) Guilty Count 1,2,3. (Court Reporter Jimmy Dickens.) (jct, ) (Entered: 04/23/2004)
04/28/2004	<a href="#"><u>48</u></a>	REPORT AND RECOMMENDATION concerning Plea of Guilty as to Adrian Moultry Objections to R&R due by 4/30/2004. Signed by Judge Delores R. Boyd on 4/28/2004. (snc) (Entered: 04/28/2004)
05/10/2004	<a href="#"><u>49</u></a>	ORDER Accepting Guilty Plea as to Adrian Moultry and adjudicating the defendant guilty as to Counts 1, 2 & 3; terminating all pending applicable deadlines; and denying all pending applicable motions as moot. . Signed by Judge Myron H. Thompson on 5/10/2004. (snc) (Entered: 05/10/2004)
05/10/2004	<a href="#"><u>50</u></a>	ORDER as to Adrian Moultry setting Sentencing for 7/8/2004 09:00 AM in Courtroom 2E before Honorable Myron H. Thompson, directing counsel to communicate in writing to the PO by 6/30/04 any objections to the PSR, and directing that parties shall be available on 6/30/04 at 11:00 a.m., for a conference with PO, as outlined in order. Signed by Judge Myron H. Thompson on 5/10/2004. (snc) (Entered: 05/10/2004)
05/17/2004	<a href="#"><u>51</u></a>	Preliminary MOTION for Forfeiture of Property by United States of America as to Adrian Moultry. (Harmon, John) (Entered: 05/17/2004)
05/19/2004	<a href="#"><u>52</u></a>	PRELIMINARY ORDER OF FORFEITURE granting <a href="#"><u>51</u></a> motion for preliminary order of forfeiture, forfeiting firearm as outlined in order as to Adrian Moultry, and directing the clerk to forward two certified copies of this order to the USA's Office . Signed by Judge Myron H. Thompson on 5/19/2004. (snc) (Entered: 05/19/2004)
06/22/2004	<a href="#"><u>53</u></a>	Process Receipt and Return as to Adrian Moultry on 6/21/04 re Preliminary Order of Forfeiture of firearm. (snc) (Entered: 06/23/2004)
06/29/2004	<a href="#"><u>54</u></a>	MOTION for a One-Level Reduction in Offense Level for Acceptance of Responsibility by United States of America as to Adrian Moultry. (Miner, Matthew) (Entered: 06/29/2004)
06/29/2004	<a href="#"><u>55</u></a>	MOTION for Downward Departure <i>for Substantial Assistance</i> by United States of America as to Adrian Moultry. (Miner, Matthew) (Entered: 06/29/2004)
06/30/2004	<a href="#"><u>56</u></a>	MOTION for Release from Custody by United States of America as to Adrian Moultry. (Miner, Matthew) (Entered: 06/30/2004)
07/01/2004	<a href="#"><u>57</u></a>	ORDER granting <a href="#"><u>56</u></a> Motion to Release Custody of Adrian Moultry (1) to agent Larry Hubbard and directing that the agent return Moultry into the custody of the USM when he has finished with him. Signed by Judge Delores R. Boyd on 7/1/04. (snc) (Entered: 07/01/2004)
07/02/2004	<a href="#"><u>58</u></a>	MOTION to Continue by Adrian Moultry. (James, Susan) (Entered: 07/02/2004)



07/02/2004	 <u>59</u>	ORDER as to Adrian Moultry granting <u>58</u> MOTION to Continue (sentencing) filed by Adrian Moultry. Blakely Brief due by defendant 7/9/04 and Blakely Brief due by government 7/19/2004. Sentencing now set for 7/8/04 is reset for 8/2/2004 09:00 AM in Courtroom 2E before Honorable Myron H. Thompson.. Signed by Judge Myron H. Thompson on 7/2/04. (ekl, ) (Entered: 07/02/2004)
07/02/2004	 <u>60</u>	Process Receipt and Return as to Adrian Moultry; service of Notice on 6/21/04. (snc) (Entered: 07/06/2004)
07/02/2004		***Motions terminated per 7/2/04 order as to Adrian Moultry : <u>58</u> MOTION to Continue filed by Adrian Moultry. (snc) (Entered: 07/16/2004)
07/06/2004	 <u>61</u>	MOTION for Extension of Time to File by Adrian Moultry. (James, Susan) (Entered: 07/06/2004)
07/13/2004	 <u>62</u>	ORDER as to Adrian Moultry (1) granting defendant's <u>61</u> MOTION for Extension of Time to File; (2) directing defendant to file Blakely brief by 7/26/04; (3) directing the government to file Blakely brief by 8/6/2004; and resetting Sentencing, now set for 8/2/04, for 8/23/2004 09:00 AM in Courtroom 2E before Honorable Myron H. Thompson. Signed by Judge Myron H. Thompson on 7/13/04. (snc) (Entered: 07/13/2004)
07/26/2004	 <u>63</u>	SENTENCING MEMORANDUM by Adrian Moultry (James, Susan) (Entered: 07/26/2004)
07/27/2004		TRANSCRIPT of Change of Plea Hearing as to Adrian Moultry held on April 23, 2004 before Judge Delores R. Boyd. James Dickens, Court Reporter (1 volume; filed conventionally) (snc) (Entered: 07/28/2004)
07/28/2004	 <u>64</u>	MOTION to Continue by Adrian Moultry. (James, Susan) (Entered: 07/28/2004)
07/30/2004	 <u>65</u>	ORDER as to Adrian Moultry re <u>64</u> MOTION to Continue filed by Adrian Moultry, Motion granted and terminated as to Adrian Moultry. Sentencing set for 8/23/04 is RESET for 8/26/2004 09:00 AM in Courtroom 2E before Honorable Myron H. Thompson.. Signed by Judge Myron H. Thompson on 7/30/04. (ekl, ) (Entered: 07/30/2004)
08/06/2004	 <u>66</u>	SENTENCING MEMORANDUM by United States of America as to Adrian Moultry (Miner, Matthew) (Entered: 08/06/2004)
08/16/2004	 <u>67</u>	ORDER as to Adrian Moultry directing government and defendant to Show Cause by noon on 8/19/2004 as to (1) whether the sentencing in this case presents any Blakely issues and (2), if so, whether the sentencing should be continued until 10/25/04 and thereafter to allow for a decision by the United States Supreme Court on the constitutionality of the Guidelines in light of Blakely. Signed by Judge Myron H. Thompson on 8/16/04. (snc) (Entered: 08/16/2004)

08/18/2004	 <u>68</u>	RESPONSE TO ORDER TO SHOW CAUSE by United States of America as to Adrian Moultry (Miner, Matthew) (Entered: 08/18/2004)
08/18/2004	 <u>69</u>	<b>**DOCKETING ERROR; SEE ENTRY BELOW**</b> MOTION for Order to Show Cause <i>Response to Court Order of August 16, 2004</i> by Adrian Moultry. (James, Susan) Modified on 8/19/2004 (snc, ). (Entered: 08/18/2004)
08/18/2004		RESPONSE to Court's August 16, 2004, Show Cause Order by Adrian Moultry (SEE DN 69 for PDF) (snc) (Entered: 08/19/2004)
08/18/2004		<b>***MOTION TERMINATED</b> (as incorrectly filed per Judge Thompson) as to Adrian Moultry : <u>69</u> MOTION for Order to Show Cause <i>Response to Court Order of August 16, 2004</i> filed by Adrian Moultry. (snc) (Entered: 08/19/2004)
08/19/2004	 <u>70</u>	NOTICE of Correction re <u>69</u> MOTION for Order to Show Cause <i>Response to Court Order of August 16, 2004</i> (snc) (Entered: 08/19/2004)
08/24/2004	 <u>71</u>	ORDER as to Adrian Moultry, in light of Blakely, continuing Sentencing, now set for 8/26/04, to 10/25/2004 10:00 AM in Courtroom 2E before Honorable Myron H. Thompson. Signed by Judge Myron H. Thompson on 8/24/04. (snc) (Entered: 08/24/2004)
10/14/2004	 <u>72</u>	ORDER as to Adrian Moultry resetting Sentencing, now set for 10/25/04, for 11/15/2004 09:00 AM in Courtroom 2E before Honorable Myron H. Thompson. Signed by Judge Myron H. Thompson on 10/14/2004. (snc) (Entered: 10/14/2004)
11/09/2004	 <u>73</u>	ORDER as to Adrian Moultry resetting Sentencing, now set for 11/15/04, for 12/3/2004 09:00 AM in Courtroom 2E before Honorable Myron H. Thompson. Signed by Judge Myron H. Thompson on 11/9/04. (snc) (Entered: 11/09/2004)
11/30/2004	 <u>74</u>	ORDER as to Adrian Moultry resetting Sentencing, now set for 12/3/04, for 1/6/2005 10:00 AM in Courtroom 2E before Honorable Myron H. Thompson. Signed by Judge Myron H. Thompson on 11/30/04. (snc) (Entered: 11/30/2004)
12/30/2004	 <u>75</u>	Final MOTION for Forfeiture of Property by United States of America as to Adrian Moultry. (Harmon, John) (Entered: 12/30/2004)
01/04/2005	 <u>76</u>	ORDER as to Adrian Moultry resetting Sentencing, now set for 1/6/05, for 1/31/2005 09:00 AM in Courtroom 2E before Honorable Myron H. Thompson. Signed by Judge Myron H. Thompson on 1/31/05. (snc) (Entered: 01/04/2005)
01/12/2005	 <u>77</u>	OORDER as to Adrian Moultry, upon consideration of the Supreme Court's decision in US v Booker, (1) directing the government to file a Brief by 1/19/2005, (2) directing the Probation Department to file a statement by 1/21/05, and (3) directing the defendant to file a Brief by 1/25/2005 . Signed by Judge Myron H. Thompson on 1/12/05. (snc)

		(Entered: 01/12/2005)
01/19/2005	<a href="#"><u>78</u></a>	SENTENCING MEMORANDUM by United States of America as to Adrian Moultry (Miner, Matthew) (Entered: 01/19/2005)
01/20/2005	<a href="#"><u>79</u></a>	SENTENCING STATEMENT by Montgomery U.S. Probation as to Adrian Moultry (snc) (Entered: 01/21/2005)
01/27/2005	<a href="#"><u>80</u></a>	Set/Reset Hearings as to Adrian Moultry: Sentencing reset from 1/31/05 to 2/1/2005 02:00 PM in Courtroom 2E before Honorable Myron H. Thompson. (snc) (Entered: 01/27/2005)
01/27/2005	<a href="#"><u>81</u></a>	NOTICE of Hearing as to Adrian Moultry: Sentencing hearing reset from 1/31/05 to 2/1/05 at 2:00 p.m. (snc) (Entered: 01/27/2005)
01/28/2005	<a href="#"><u>82</u></a>	NOTICE OF HEARING as to Adrian Moultry: Sentencing reset from 2/1/05 to 2/4/2005 10:00 AM in Courtroom 2E before Honorable Myron H. Thompson. (snc) (Entered: 01/28/2005)
02/04/2005	<a href="#"><u>83</u></a>	Minute Entry for proceedings held before Judge Myron H. Thompson :Sentencing hearing held on 2/4/2005 as to Adrian Moultry; hearing to resume on 2/10/05 at 10:00 a.m. (Court Reporter Mitchell Reisner.) (Attachments: # <u>1</u> Witness List) (snc) (Entered: 02/07/2005)
02/07/2005	<a href="#"><u>84</u></a>	ORDER as to Adrian Moultry that sentencing shall resume on 2/10/2005 10:00 AM in Courtroom 2E before Honorable Myron H. Thompson. Signed by Judge Myron H. Thompson on 2/7/05. (kcg, ) (Entered: 02/07/2005)
02/09/2005	<a href="#"><u>85</u></a>	SENTENCING MEMORANDUM by Adrian Moultry (James, Susan) (Entered: 02/09/2005)
02/10/2005	<a href="#"><u>86</u></a>	Minute Entry for proceedings held before Judge Myron H. Thompson :Sentencing held on 2/10/2005 as to Adrian Moultry for Adrian Moultry (1) (Court Reporter Mitchell Reisner.) (Attachments: # <u>1</u> Witness List) (kcg, ) (Entered: 02/10/2005)
02/10/2005	<a href="#"><u>87</u></a>	ORAL ORDER, during sentencing imposition, as to Adrian Moultry, SEALING Agent Hubbard's testimony for the record . Signed by Judge Myron H. Thompson on 2/10/05. (kcg, ) (Entered: 02/10/2005)
02/10/2005	<a href="#"><u>88</u></a>	ORAL MOTION to Consider Rule 3553(a)&(a)(2) by Adrian Moultry. (kcg, ) (Entered: 02/10/2005)
02/10/2005	<a href="#"><u>89</u></a>	ORAL ORDER, during sentencing imposition, as to Adrian Moultry, OVERRULING Defendant's Motion to Consider Rule 3553(a)& (a)(2). Signed by Judge Myron H. Thompson on 2/10/05. (kcg, ) (Entered: 02/10/2005)
02/10/2005	<a href="#"><u>90</u></a>	ORAL ORDER, during sentencing imposition, as to Adrian Moultry, GRANTING Government's Motion for Reduction of Sentence and Certification of Substantial Assistance Pursuant to 5k1.1, Doc. #55 . Signed by Judge Myron H. Thompson on 2/10/05. (kcg, ) (Entered: 02/10/2005)

		02/10/2005)
02/10/2005	●	ORAL ORDER, during sentencing imposition, as to Adrian Moultry, GRANTING Government's Motion for One-Level Reduction for Acceptance of Responsibility, Doc. #54 . Signed by Judge Myron H. Thompson on 2/10/05. (kcg, ) (Entered: 02/10/2005)
02/10/2005	●	ORAL ORDER as to Adrian Moultry GRANTING Government's Motion for Final Order of Forfeiture . Signed by Judge Myron H. Thompson on 2/10/05. (kcg, ) (Entered: 02/10/2005)
02/10/2005	● <u>86</u>	FINAL ORDER OF FORFEITURE OF PROPERTY as to Adrian Moultry regarding One Bryco Arms, Model Jennings Nine, 9 Millimeter Semi-Automatic Pistol, Serial Number 1497844, as further set out. Two Certified copies of this order are to be forwarded to the United States Attorney's Office . Signed by Judge Myron H. Thompson on 2/10/05. (kcg, ) (Entered: 02/10/2005)
02/16/2005	● <u>87</u>	JUDGMENT as to Adrian Moultry (1), Count(s) 1, 2, 3, 192 Mos Imp consisting of 132 Mos on Ct 1, 132 Mos on Ct 2 to be served CC and 60 Mos on Ct 3 to be served consecutively to Cts 1 and 2; 5 Yrs Sup Rel which consists of 5 Yrs on Ct 1, 3 Yrs on Ct 2 and 3 Yrs on Ct 3, all to run CC; \$300 SA . Signed by Judge Myron H. Thompson on 2/16/05. (kcg, ) (Entered: 02/16/2005)
02/16/2005		***Case Terminated as to Adrian Moultry (kcg, ) (Entered: 02/17/2005)
02/21/2005	● <u>88</u>	MOTION to Amend/Correct by Adrian Moultry. (James, Susan) (Entered: 02/21/2005)
03/01/2005	●	ORDER that the government SHOW CAUSE, if any there be, in writing by 3/8/2005, as to why defendant Adrian Moultry's motion to reopen sentencing (Doc. No. 88), shall not be granted. Signed by Judge Myron H. Thompson on 3/1/05. (kcg, ) (Entered: 03/01/2005)
03/01/2005	● <u>89</u>	NOTICE of Correction in order to attach PDF of Order of 3/1/05 that was left off of previous docket entry (Attachments: # <u>1</u> Order of 3/1/05)(kcg, ) (Entered: 03/01/2005)
03/08/2005	● <u>90</u>	RESPONSE to Motion by United States of America as to Adrian Moultry re <u>88</u> MOTION to Amend/Correct (Miner, Matthew) (Entered: 03/08/2005)
03/24/2005	● <u>91</u>	ORDER denying <u>88</u> Motion to Amend/Correct as to Adrian Moultry (1). Signed by Judge Myron H. Thompson on 3/24/05. (ws ) (Entered: 03/24/2005)
05/04/2005	● <u>92</u>	Judgment Returned Executed as to Adrian Moultry; defendant delivered to facility (notation illegible) on 4/13/05. (snc) (Entered: 05/04/2005)
12/15/2005	● <u>93</u>	Process Receipt and Return of Final Order of Forfeiture c/o ATF&E as to Adrian Moultry on 12/15/05. (snc) (Entered: 12/19/2005)

